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## FEDERAL REPUBLIC OF GERMANY

### Transportation: Cooperation on Development of High Speed Ground Systems

*Memorandum of understanding signed at Bonn June 12, 1973;  
Entered into force June 12, 1973.*

*And amending agreement*

*Effectuated by exchange of letters*

*Signed at Washington and Bonn-Bad Godesberg March 23 and  
June 9 and 15, 1976;*

*Entered into force June 15, 1976.*

### MEMORANDUM OF UNDERSTANDING

between the FEDERAL MINISTRY FOR RESEARCH AND TECHNOLOGY and the FEDERAL MINISTRY OF TRANSPORT OF THE FEDERAL REPUBLIC OF GERMANY on the one hand and the DEPARTMENT OF TRANSPORTATION OF THE UNITED STATES OF AMERICA on the other hand regarding cooperation on the development of advanced ground transportation, particularly tracked, levitated high speed transportation systems.

1. The Federal Ministry for Research and Technology, the Federal Ministry of Transport, on the one hand, and the Department of Transportation of the United States on the other shall,

In the knowledge that new developments in the field of transportation technology can make an important contribution towards solving transportation problems in both countries during the coming decades,

In view of the fact that both countries are promoting comprehensive research and development work on advanced transportation technologies,

In view of the progress made to date in the development of relevant systems, and

In anticipation that equal advantages for both parties will result from a link between the programs of both countries

cooperate on the further development of advanced ground transportation technologies, particularly tracked, levitated high-speed transportation systems.

(3831)

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2. This cooperation may include:

The exchange of information regarding programs and projects, research results, publications;

The exchange of scientific and technical staff;

The joint organization of symposia or conferences; and

The execution of joint systems analyses, scientific or technical projects.

The specific details of cooperation among the parties will be established on a case-by-case basis by the contracting parties, or, if the parties agree, by their designated agents.

3. The cooperative program shall cover, but need not be limited to, the following areas:

The underlying traffic and transport policy assumptions as well as the consequences of the introduction of advanced transportation systems;

The principles of the development of levitated transportation systems (magnetic and air cushion);

Fundamental questions regarding the development of linear electric motors; and

The establishment of the optimal parameters for levitated transportation systems.

4. To administer and facilitate this cooperation, each party shall designate an appropriate official as its program coordinator within thirty days of the entry into force of this Memorandum of Understanding. These program coordinators shall:

Work out initial, specific cooperative undertakings;

Provide a point of contact for the parties in proposing and making other detailed arrangements for program activity, including activity involving the participation of other ministries or departments, governmental agencies, or the private sector; and,

Arrange for regular reviews of the status and achievements of the overall program and its component projects, to be conducted at least once a year.

5. Cooperation may involve exchanges of patent rights and industrial know-how on a reciprocal basis. To the extent that cooperation involves patent rights or the industrial know-how of third parties of which the parties cannot avail themselves without the prior consent of such third parties, each of the parties shall, on behalf of the other, request that this knowledge be also incorporated, as far as practicable, in the cooperation program.

6. The rights and obligations of the parties to this cooperation program with regard to inventions resulting from such cooperation program shall be established under special agreements concluded among those concerned.

7. If no arrangement in case, each party shall itself of the cooperation.

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8. The Memorandum of Berlin, provided that the Germany has not made of the United States of of entry into force of t

9. The Memorandum of five years from the d by the written agreement the present agreement that effect.

10. This Memorandum on the date of signature

Done at Bonn on Jun

*The Federal Minister for  
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Republic of Germany*

HORST EHMK

*The Federal Minister  
of the Federal Republic*

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7. If no arrangement to the contrary is made in the individual case, each party shall itself bear the costs devolving on it as a result of the cooperation.

The obligations of the parties shall be subject to the availability of budgetary funds.

8. The Memorandum of Understanding shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the United States of America within three months from the date of entry into force of the Memorandum of Understanding.

9. The Memorandum of Understanding shall be valid for a period of five years from the date of entry into force; it may be extended by the written agreement of the parties. Each party may terminate the present agreement by giving three months written notice to that effect.

10. This Memorandum of Understanding shall enter into force on the date of signature.

Done at Bonn on June 12, 1973

CLAUDE S BRINEGAR

*The Secretary of Transportation  
of the United States of  
America*

*The Federal Minister for Research  
and Technology of the Federal  
Republic of Germany*

HORST EHMKE

*The Federal Minister of Transport  
of the Federal Republic of Germany*

DR. LAURITZ LAURITZEN

## VEREINBARUNG

zwischen dem BUNDESMINISTER FÜR FORSCHUNG UND TECHNOLOGIE und dem BUNDESMINISTER FÜR VERKEHR DER BUNDESREPUBLIK DEUTSCHLAND einerseits und dem VERKEHRSMINISTERIUM DER VEREINIGTEN STAATEN VON AMERIKA andererseits über Zusammenarbeit bei der Entwicklung von fortgeschrittenen Landverkehrssystemen, insbesondere spurgebundenen Schnellverkehrssystemen mit berührungsfreier Fahrtechnik

TIAS 8402

*extended  
7/17/78 for  
indefinite  
term  
(TIAS 9449)*

## [AMENDING AGREEMENT]

*The Secretary of Transportation to the German Minister of Research  
and Technology*

THE SECRETARY OF TRANSPORTATION  
WASHINGTON, D.C. 20590

MAR 23 1976

Honorable HANS MATTHOEFFER  
Minister of Research and Technology  
Federal Republic of Germany

DEAR MR. MINISTER:

I refer to our Memorandum of Understanding of June 12, 1973, regarding cooperation on the development of advanced ground transportation, particularly tracked, levitated high speed transportation systems. Despite changes during the past three years in national priorities for research on levitated systems, the program coordinators on both sides have responded well to the new situation, and have re-directed their cooperation into other areas of mutual interest and benefit. I continue to support this cooperative effort fully.

In addition, as a result of extensive work by our specialists during the past six months, a new and promising area of cooperation is under active development in the field of urban transportation technology. This work will involve binational assessments of automated guideway transit (AGT) technologies in the U.S. and the Federal Republic of Germany.

Looking ahead to the early conclusion of a specific project agreement on this subject, I think it would be desirable and useful to provide an explicit reference to the new area of cooperation within the terms of the 1973 Memorandum. I therefore propose that we amend paragraph 3 of that Memorandum by adding the sub-paragraph:

Urban transportation technologies

I also propose that this letter, together with your affirmative reply on this point, should be considered to constitute the amendment, and that the exchange of letters be regarded as an addendum to the 1973 Memorandum.

On a related point, I wish to inform you that I have now designated the Director of my Office of International Transportation Programs, the present incumbent of which is Dr. Ray W. Bronez, as the program coordinator for the US-German cooperation relation-

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*The German Minister*

HANS MATTHOEFFER  
BUNDESMINISTER  
FÜR FORSCHUNG UND TECHNOLOGIE

Honorable WILLIAM T. COFFIN  
Secretary of Transportation  
Washington,  
USA

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ship under the 1973 Memorandum. Dr. Bronez will advise his counterparts in your Ministry and the Ministry of Transport as to the names of our program officers responsible for specific areas of cooperation.

Sincerely,

WILLIAM T. COLEMAN JR

William T. Coleman, Jr.

*The German Minister of Research and Technology to the Secretary of Transportation*

HANS MATTHÖFER  
BUNDESMINISTER  
FÜR FORSCHUNG UND TECHNOLOGIE

53 BONN-BAD GODESBERG  
POSTFACH 120870  
STRESEMANNSTRASSE 2

9. JUNI 1976

Honorable WILLIAM T. COLEMAN, JR.  
*Secretary of Transportation*  
Washington, D.C. 20590  
USA

SEHR GEEHRTER HERR KOLLEGE,  
für Ihr Schreiben vom 23. März 1976 danke ich Ihnen.  
Mit Ihnen bin ich der Auffassung, daß unser Memorandum of Understanding vom 12. Juni 1973 über die Zusammenarbeit bei der Entwicklung von fortgeschrittenen Landverkehrssystemen auch Stadtverkehrssysteme umfassen sollte. Deshalb stimme ich zu, den Paragraphen 3 des Memorandums zu ändern, indem dort der Sub-Paragraph

Urban transportation technologies

hinzugefügt wird.

Ich teile Ihre Ansicht, daß durch unseren Briefwechsel, den ich wie Sie als Zusatz zu dem Memorandum betrachte, die Änderung konstituiert ist.

Mit freundlichen Grüßen

HANS MATTHÖFER

(Hans Matthöfer)

TIAS 8402

*Translation*

HANS MATTHÖFER  
FEDERAL MINISTER FOR  
RESEARCH AND TECHNOLOGY

P.O. BOX 120370  
STRESEMANNSTRASSE 2  
53 BONN-BAD GODESBERG

JUNE 9, 1976

The Honorable WILLIAM T. COLEMAN, JR.  
*Secretary of Transportation*  
Washington, D.C. 20590, USA

DEAR COLLEAGUE:

Thank you very much for your letter of March 23, 1976.

I share your view that our Memorandum of Understanding of June 12, 1973, regarding cooperation on the development of advanced ground transportation systems should include urban transportation systems as well. I therefore agree to an amendment of paragraph 3 of the Memorandum by adding a subparagraph on urban transportation technologies.

I share your view that our exchange of letters, which I, like you, consider an annex to the Memorandum, shall constitute this amendment.

Sincerely yours,

HANS MATTHÖFER

(Hans Matthöfer)

*The Secretary of Transportation to the German Minister of Transport*

THE SECRETARY OF TRANSPORTATION  
WASHINGTON, D.C. 20590

MARCH 23, 1976

Honorable KURT GSCHIEDLE  
*Minister of Transport*  
*Federal Republic of Germany*

DEAR MR. MINISTER:

I refer to our Memorandum of Understanding of June 12, 1973, regarding cooperation on the development of advanced ground transportation, particularly tracked levitated high speed transportation systems. Despite changes during the past three years in national priorities for research on levitated systems, the program coordinators on both sides have responded well to the new situation, and have re-directed their cooperation into other areas of mutual interest and benefit. I continue to support this cooperative effort fully.

TIAS 8402

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*The German Minister*

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In addition, as a result of extensive work by our specialists during the past six months, a new and promising area of cooperation is under active development in the field of urban transportation technology. This work will involve binational assessments of automated guideway transit (AGT) technologies in the U.S. and the Federal Republic of Germany.

Looking ahead to the early conclusion of a specific project agreement with the Ministry of Research and Technology on this subject, I think it would be desirable and useful to provide an explicit reference to the new area of cooperation within the terms of the 1973 Memorandum. I therefore propose that we amend paragraph 3 of that Memorandum by adding the sub-paragraph:

Urban transportation technologies

I also propose that this letter, together with your affirmative reply on this point, should be considered to constitute the amendment, and that the exchange of letters be regarded as an addendum to the 1973 Memorandum.

On a related point, I wish to inform you that I have now designated the Director of my Office of International Transportation Programs, the present incumbent of which is Dr. Ray W. Bronez, as the program coordinator for the US-German cooperation relationship under the 1973 Memorandum. Dr. Bronez will advise his counterparts in your Ministry and the Ministry of Research and Technology as to the names of our program officers responsible for specific areas of cooperation.

Sincerely,

WILLIAM T. COLEMAN JR  
William T. Coleman, Jr.

*The German Minister of Transport to the Secretary of Transportation*

DER BUNDESMINISTER FÜR VERKEHR 53 BONN-BAD GODESBERG 1  
POSTFACH 100 • KENNEDYALLEE 72

DEN 15. JUNI 1976

Honorable WILLIAM T. COLEMAN, JR.  
*Secretary of Transportation*  
Washington, D.C. 20590  
U.S.A.

SEHR GEEHRTER HERR KOLLEGE,  
haben Sie besten Dank für Ihre Anregung in Ihrem Schreiben vom  
23. März 1976.

TIAS 8402

Ich teile Ihre Auffassung, daß das Memorandum of Understanding vom 12. Juni 1973 nach wie vor eine gute Grundlage für die deutsch-amerikanische Zusammenarbeit auf dem Gebiet der fortgeschrittenen Landverkehrssysteme darstellt. Deshalb stimme ich gern Ihrem Vorschlag zu, den Abschnitt 3 des Memorandums zu ändern, indem dort der Punkt

Stadtverkehrs-Technologien  
(Urban Transportation Technologies)

hinzugefügt wird.

Ich halte es ebenfalls für ein zweckmäßiges Verfahren, diese Ergänzung durch unseren Briefwechsel rechtswirksam zu machen und unsere Schreiben als Anlagen zu dem Memorandum of Understanding vom 12. Juni 1973 anzusehen.

Mit freundlichen Grüßen

GSCHIEDLE

(Gscheidle)

THE FEDERAL MINISTER OF TRANSPORT

53 BONN-BAD GODESBERG  
P.O. BOX 100  
KENNEDYALLEE 72

JUNE 15, 1976

The Honorable WILLIAM T. COLEMAN, JR.  
*Secretary of Transportation*  
Washington, D.C. 205, USA

DEAR COLLEAGUE:

Thank you very much for the suggestion you made in your letter of March 23, 1976.

I share your view that the Memorandum of Understanding of June 12, 1973, continues to constitute a good basis for German-American cooperation regarding advanced ground transportation systems. I therefore gladly agree to your suggestion that paragraph 3 of the Memorandum be amended by adding a subparagraph on urban transportation technologies.

I also feel that it would be expedient to make this amendment legally effective by our exchange of letters and to consider our letters annexes to the Memorandum of Understanding of June 12, 1973.

Sincerely yours,

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TIAS 8402

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